

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

GLENN WHICKER NEAL, JR. )  
                            )  
Petitioner,             )  
                            )  
v.                        ) 1:23-cv-285  
                            )  
BEN ANDERSON,           )  
                            )  
Respondent.             )

**ORDER**

On October 30, 2024, the United States Magistrate Judge's Recommendation ("Recommendation") was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 4, 5.) No objections were filed within the time limits prescribed by Section 636.

The record reflects that the Recommendation was served by mail to Petitioner's last known address at Neuse Correctional Institution, 701 Steven Mill Road, Goldsboro, North Carolina, but returned as undeliverable and marked "Return to Sender - Unable to Forward, and No Longer Here." (See Doc. 6.) This court has no obligation to locate Petitioner to provide actual notice; instead, it is the duty of a litigant to keep this court informed of a current address. LR 11.1(b). Because Petitioner has not provided the court with an address within 63 days of the date of the last return of mail, the court finds the case should

be dismissed without prejudice for failure to prosecute. See LR 11.1(b).

**IT IS THEREFORE ORDERED** that this action is **DISMISSED** **WITHOUT PREJUDICE** pursuant to Local Rule 11.1(b) for failure to prosecute.

A Judgment dismissing this action will be filed contemporaneously herewith.

This the 21st day of January, 2025.

William L. Osten, Jr.  
United States District Judge